

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6825

BILL NUMBER: SB 221

NOTE PREPARED: Dec 30, 2010

BILL AMENDED:

SUBJECT: Explanation of Proposed Constitutional Amendments.

FIRST AUTHOR: Sen. Young R Michael

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill requires the Legislative Services Agency (LSA) to prepare a neutral summary of any proposed state constitutional amendment and to submit the proposed summary to the Legislative Council for approval not later than 105 days before the election at which the public question concerning a proposed constitutional amendment will be voted on. The bill provides that, if the Legislative Council does not approve a proposed or amended summary in a timely manner, the summary as submitted to the Legislative Council shall be distributed and posted.

The bill requires the LSA, not later than 60 days before the election at which the proposed amendment will be submitted to the voters, to distribute copies of the summary to various entities and to post the summary on the General Assembly's Internet web site. The bill requires the posting of a copy of the summary at each polling place. The bill provides that, subject to the Legislative Council's approval, the LSA has absolute discretion to determine the contents of the summary. The bill specifies that these provisions do not apply to a proposed constitutional amendment if an act enacted by the General Assembly in the legislative session preceding the election at which the constitutional amendment is voted on specifies the ballot language for the proposed constitutional amendment. The bill prohibits the bringing of an action based on the exercise of this discretion.

Effective Date: July 1, 2011.

Explanation of State Expenditures: The Legislative Council, LSA, and Election Division would be able to carry out these additional responsibilities with existing resources and staff.

Explanation of State Revenues:

Explanation of Local Expenditures: County election boards would need to forward copies of amendment summaries to precinct inspectors. It is likely that county election boards would be able to accomplish this provision with existing resources and staff.

Explanation of Local Revenues:

State Agencies Affected: LSA, Legislative Council; Election Division.

Local Agencies Affected: County election boards.

Information Sources:

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